THE SIGNIFICANCE OF THE NPT

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Before the Bi-partisan Task Force
On Non-proliferation U.S. House of Representative

June 18, 2003

The Nuclear Non-proliferation Treaty (NPT) is the centerpiece of international efforts to control the spread of nuclear weapons. The treaty was signed in 1968, a time when the tool of multilateral nuclear arms control was relatively new and widespread and nuclear proliferation was considered a likely development. Indeed, there were predictions during the Kennedy Administration that by the late 1970's, there would be 25 to 30 declared nuclear-weapon states with nuclear weapons integrated into their national arsenals. If that had happened, there could be as many as 50 nuclear weapon states today, the International Atomic Energy Agency recently estimated that 60-70 states have the capability to build nuclear weapons if they so choose. Such a world would be far different than the one we have today with all its dangers and difficulties. In such a world, every conflict would carry with it the risk of going nuclear, it would be impossible to keep nuclear weapons out of the hand of terrorists because they would be so numerous and so widespread and indeed civilization as we know it would hang in the balance every day.

But, this did not happen. The entry into force of the NPT in 1970 converted what had been an act of national pride into an act of international outlawry. Compare the first French test in 1960, banner headlines, "Vive La France", etc., with the 1974 first Indian nuclear explosion which they conducted figuratively in the middle of the night, for which

they received world-wide condemnation, and which they were forced to call a "peaceful" explosion, whatever that is.

There are still only five nuclear weapon states (the United States, Russia, United Kingdom, France, and China) recognized by the NPT community of states, the same number as in 1968 when the NPT was signed. There are three nuclear capable states (India, Pakistan, and Israel—with India and Pakistan, to the detriment of the world community having conducted tests in 1998 and declaring themselves to be nuclear weapon states) that are not recognized by the NPT. And North Korea has recently withdrawn from the NPT and claims it has separated enough plutonium for several nuclear weapons.

But, we must never forget that the NPT came at a price. There was a basic bargain that permitted the NPT to happen in 1968. In exchange for the non-nuclear weapon states agreeing not to acquire nuclear weapons, the nuclear weapon states pledged access to peaceful nuclear technology and to nuclear disarmament and the eventual elimination of their own nuclear weapon arsenals. And this basic bargain, non-proliferation in exchange for sharing of peaceful technology and nuclear arms reduction leading to eventual nuclear disarmament, is the foundation upon which the NPT regime rests.

It is clear from the record in 1968 that what the non-nuclear states believed they were buying in the disarmament field in 1968 with their commitment not to acquire nuclear weapons. At a minimum, it meant negotiation of a comprehensive nuclear test ban treaty (CTBT), the negotiation of deep reductions in existing nuclear arsenals, legally binding security assurances (which means in part a legally binding pledge by the nuclear

weapon states never to use nuclear weapons against non-nuclear weapon NPT parties—now 183 nations, almost the whole world, additional nuclear weapon free zones (including the Middle East) and a treaty terminating the production of fissile material for nuclear weapons.

And we have to face the fact that the nuclear weapon states have not fully lived up to their half of the NPT basic bargain. The United States has rejected the CTBT—perhaps the most important of the 1968 commitments—even though the United Kingdom, Russia, and France have ratified the Treaty. We do not have deep reductions in nuclear weapons, there has not been a negotiation of a treaty terminating the production of fissile material and while the nuclear weapons states did give security assurances in 1995 in association with the indefinite extension of the NPT, they were not made legally binding. And the United States in its recent *Nuclear Posture Review* indicated it did not believe itself bound by these assurances in that five states that were then NPT non-nuclear weapon states (Syria, Iran, Iraq, Libya, and North Korea) were singled out as possible targets of U.S. nuclear weapons.

When the NPT was negotiated, three of the negotiating nations, Germany, Italy, and Sweden were concerned that a permanent NPT might deny them the benefits of peaceful nuclear energy on an economical basis and lock them into a discriminatory regime. As a result of these concerns, these three countries were unwilling to agree to make the NPT a permanent treaty-as is the case with all other arms control treaties—and therefore, the drafters of the NPT gave the Treaty only a 25-year life span, with the option by majority vote of the parties of terminating the treaty, extending it for a fixed period, or making it permanent at the end of the 25-year period, which was 1995. The

concerns of the non-nuclear weapon states that an indefinite or permanent NPT would lock the nuclear status into place were very much on the minds of some of the NPT states parties at the Review and Extension conference convened to decide the future existence of the NPT in 1995—although by this time, these concerns had largely shifted to the Third World. Many non-nuclear weapon states believed that the nuclear weapon states had shown insufficient progress in fulfilling the NPT disarmament commitments and feared that a permanent NPT would leave the non-nuclear weapon states with no leverage with which to press the nuclear weapon states to improve their records.

To address these concerns and to achieve the indefinite extension of the NPT in 1995, the NPT states parties negotiated a document associated with the indefinite extension which served to impose political conditions on the legal act of the making at long last the NPT a permanent Treaty. This document, unanimously approved by all the states parties as was the indefinite extension, is entitled the statement of Principles and Objectives for Nuclear Non-proliferation and Disarmament. In general, the statement called for, among other things: a CTBT in 1996 (explicitly approved by all five nuclear weapon states in the President's Committee which drafted the statement); continued commitment to negotiated reductions in nuclear weapons; a reaffirmation of the NPT original disarmament commitments which include the eventual elimination of nuclear weapons; support of existing and future nuclear weapon free zones; an agreement halting the production of fissile material for weapons; support of legally binding security assurances and improved NPT verification.

One of the most important characteristics of the NPT indefinite extension decision was that it was a collaborative and inclusive success. It was a victory of all the states

parties to the NPT, not against each other, but against a common problem threatening their survival and prosperity. The NPT represents a delicate balancing of interests as does the indefinite extension decision. The NPT is the cornerstone of our security in today's world, it is of the greatest importance that we support and strengthen it in all its aspects.